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Attorneys for Plaintiff
SANDFORCE, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SANDFORCE, INC.

Plaintiff,

v.

TWIN CITY FIRE INSURANCE
COMPANY; HARTFORD FINANCIAL
SERVICES GROUP, INC.; THE
HARTFORD – business entity, form
unknown; and DOES 1 through 50,
inclusive,

Defendants.

CASE NO.: 3:13-cv-03422-JSW

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING DEADLINES TO
RESPOND TO TWIN CITY FIRE
INSURANCE COMPANY AND THE
HARTFORD FINANCIAL SERVICES
GROUP, INC.'S MOTION TO DISMISS
PLAINTIFF SANDFORCE'S CAUSE OF
ACTION FOR BREACH OF THE
IMPLIED COVENANT OF GOOD FAITH
AND FAIR DEALING**

Plaintiff and Defendants, through their undersigned counsel, hereby stipulate to the following:

1. Defendants Twin City Fire Insurance Company and The Hartford Financial Services Group, Inc. filed a motion to dismiss Plaintiff SandForce's cause of action for breach of the implied covenant of good faith and fair dealing, to be heard by the Court on November 15, 2013.

2. Plaintiff's response to the motion to dismiss is currently due on September 13, 2013. Defendants' reply is due on September 20, 2013. The parties hereby stipulate that Plaintiff shall have a three-week extension of time to file its response to the motion to dismiss.

3. The extension of time is necessary for the following reasons:

(a) The parties are entertaining confidential settlement discussions and require additional time to consider each other's position and arguments; and

(b) Counsel for Plaintiff has a scheduling conflict, with an opening brief due to be filed in the California Court of Appeal, Sixth Appellate District, on the same date its opposition to the motion to dismiss is due (i.e., September 13, 2013). (See Declaration of Pamela A. Bower, ¶ 2.)

4. No previous time modifications, whether by stipulation or Court order, have been requested by either party in the above-entitled case. (See Declaration of Pamela A. Bower, ¶ 3.)

5. The extension of time requested by the parties would have no effect on the Court's schedule for the case, as the hearing date on the motion to dismiss is currently scheduled for November 15, 2013. (See Declaration of Pamela A. Bower, ¶ 4.)

6. Based on the foregoing, and good cause appearing therefor, the parties hereby stipulate as follows:

(a) The time for filing and serving Plaintiff's response to Defendants' motion to dismiss shall be extended through and including **October 4, 2013**; and

(b) The time for filing and serving Defendants' reply to Plaintiff's opposition to Defendants' motion to dismiss shall be extended through and including **October 11, 2013**.

IT IS SO STIPULATED.

DATED: September 11, 2013

ADLESON, HESS & KELLY, APC

By: /s/ Pamela A. Bower

Randy M. Hess
Pamela A. Bower
Attorneys for Plaintiff
SandForce, Inc.

1 DATED: September 11, 2013

WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP

/s/ Michael K. Brisbin

By: _____

Michael K. Brisbin
Attorneys for Defendants
Twin City Fire Insurance Company and
The Hartford Financial Services Group, Inc.

MAYNARD, COOPER & GALE, P.C.

Michael D. Mulvaney (*pro hac* intended)
Christopher C. Frost (*pro hac* intended)
Tara B. Sprague (*pro hac* intended)
Attorneys for Defendants
Twin City Fire Insurance Company and
The Hartford Financial Services Group, Inc.

ORDER

Pursuant to the parties' stipulation and supporting declaration, and good cause appearing therefor, it is hereby ORDERED that the dates to respond/reply to Defendants' motion to dismiss are hereby extended as follows:

(1) The time for filing and serving Plaintiff's response to Defendants' motion to dismiss shall be extended to **October 4, 2013**; and

(2) The time for filing and serving Defendants' reply to Plaintiff's opposition to Defendants' motion to dismiss shall be extended to **October 11, 2013**.

IT IS SO ORDERED.

DATED: September 13, 2013

By: _____



for

Honorable Jeffrey S. White
Judge, United States District Court

ADLESON, HESS & KELLY, APC
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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

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Plaintiff,

v.

TWIN CITY FIRE INSURANCE
COMPANY; HARTFORD FINANCIAL
SERVICES GROUP, INC.; THE
HARTFORD – business entity, form
unknown; and DOES 1 through 50,
inclusive,

Defendants.

CASE NO.: 3:13-cv-03422-JSW

**DECLARATION OF PAMELA A. BOWER
IN SUPPORT OF STIPULATION
EXTENDING DEADLINES TO RESPOND
TO TWIN CITY FIRE INSURANCE
COMPANY AND THE HARTFORD
FINANCIAL SERVICES GROUP, INC.'S
MOTION TO DISMISS PLAINTIFF
SANDFORCE'S CAUSE OF ACTION
FOR BREACH OF THE IMPLIED
COVENANT OF GOOD FAITH AND
FAIR DEALING**

I, Pamela A. Bower, hereby declare as follows:

1. I am an attorney at law duly licensed to practice before all state and federal courts in California. I am employed by Adleson, Hess & Kelly APC, attorneys of record for SandForce, Inc. ("Plaintiff"). I have personal knowledge of the facts set forth herein, and if called to testify with respect thereto, could and would competently do so under oath. This declaration is made in support of the Stipulation and [Proposed] Order Extending Deadlines to Respond to Defendants' Motion to Dismiss Action for Breach of the Implied Covenant of Good Faith and Fair Dealing.

2. As set forth in the accompanying Stipulation, the parties have agreed to extend the time to respond/reply to the motion to dismiss for the following reasons:

1 (a) The parties are entertaining confidential settlement discussions and
2 require additional time to consider each other's position and arguments; and

3 (b) I have a scheduling conflict, with an opening brief due to be filed in the
4 California Court of Appeal, Sixth Appellate District, on the same date the opposition to the
5 instant motion to dismiss is due (i.e., September 13, 2013).

6 3. I am informed and believe the extension of time requested by the parties
7 would have no effect on the Court's schedule for the case, as the hearing date for the
8 motion to dismiss is currently scheduled for November 15, 2013.

9 4. The parties have agreed as follows:

10 (a) The time for filing and serving Plaintiff's response to Defendants' motion
11 to dismiss shall be extended through and including **October 4, 2013**; and

12 (b) The time for filing and serving Defendants' reply to Plaintiff's opposition
13 to Defendants' motion to dismiss shall be extended through and including **October 11,**
14 **2013.**

15 I declare under penalty of perjury that the foregoing is true and correct. Executed this
16 11th day of September, 2013, at Campbell, California.

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18 /s/ Pamela A. Bower
19 By: _____
20 Pamela A. Bower
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